

REMARKS

Reconsideration and allowance are respectfully requested.

Prior to this amendment, claim 17 recited: “A method of processing user speech data at a processing entity for transmission to a participant or participants in a push to talk session over a communications network, the method comprising: following initiation of a push to talk session, but prior to receipt by the entity of a session acceptance from the or each participant, analyzing the speech data to identify an initial period of silence; and removing an initial period of silence from the speech data prior to transmission of the speech data to a receiving terminal of the or each other participant.”

As will be understood when this claim is read as a whole by a person skilled in the art, it recites that the removing of the initial period of silence takes place *after* initiation of the push to talk session, *before* the receipt by the entity of the session acceptance, and *before* the speech data transmission. This claim construction also finds basis in the application as filed, for example, on page 5, lines 17-31. In particular, line 19 of page 5 explains that a PoC session is initiated. Following the PoC session initiation, lines 22-24 of page 5 state that “the PoC server buffers the received speech data and awaits receipt of a SIP 200 OK message from the other participant(s) in the session. This may take from milliseconds to several seconds. During this time....” Here, it is clear that the SIP OK message has not been received yet; in addition, both the term “await” and the term “during” indicates a period of time. Then, lines 24-26 of page 5 continue with “During this time (i.e. during a time period which comes prior to the receipt of SIP OK message), the PoC server analyses the buffered data to determine the length of the initial silent period, and clips the data to remove that period once identified.” The disclosure is clear in that the “analysis...to determine” and “clips...to remove” are taking place “during this time,” which was defined in

lines 22-24 of page 5 as taking place before receipt of the SIP 200 OK message. Finally, lines 26-28 of page 5 indicate that the transmission of the clipped speech is taking place at a point in time after the 200 OK message has been received (“Following receipt of..., the PoC server begins transmitting...”). Due to the fact that the speech data is transmitted after receipt of the session acceptance and the removal occurs before receipt of the session acceptance, the removal will, consequently, occur prior to transmission of the speech data. The same steps could be carried out at the terminal of the initiating party, as stated in lines 19-21, page 6. Therefore, when read in light of the specification by the skilled person, claim 1 defines that prior to transmission of the speech data to a receiving terminal of the or each other participant, specifically between initiation of a push to talk session and receipt by the entity of a session acceptance from the or each participant, the entity analyzes the speech data to identify an initial period of silence and removes an initial period of silence from the speech data.

However, the Examiner presumably interpreted the semicolon in claim 17 in the last response as indicating two independent and separate clauses, namely: (1) following initiation of a push to talk session, but prior to receipt by the entity of a session acceptance from the or each participant, analyzing the speech data to identify an initial period of silence, and (2) removing an initial period of silence from the speech data prior to transmission of the speech data to a receiving terminal of the or each other participant. Applicants further presume that the Examiner took the position that the analysis takes place following initiation of a push to talk session, but prior to receipt by the entity of a session acceptance, with the removal of the silent period taking place before the data speech transmission but after the session acceptance.

In view of the above, Claims 17 and 27 are amended to make them even clearer. Claim 17 for example recites that first, the PTT session is initiated, then before any session acceptance,

the analysis to identify a period of silence is performed and the removal of the silence takes place after the period of silence has been identified after session initiation but before session acceptance and before speech data transmission. See, e.g., the application as filed on page 5, lines 17-31.

Claims 17, 18, 21, 25-27, 28-30, and 32 stand rejected under 35 U.S.C. §103 for obviousness based on Saidi in view of Harris. This rejection is respectfully traversed.

Saidi describes suppressing silence frames in a received stream of media from a user (abstract).

Claim 17 recites removing an initial silent period from speech data following initiation of a push to talk session, but prior to receipt of a session acceptance by an entity from a participant or participants. The Examiner refers to paragraphs [0031] and [0037] of Saidi and emphasizes the phrases “before the initial media activity” and “before the media is transmitted over the network.” This is not the same as the claimed feature of removing an initial period of silence from the speech data “following initiation of a push to talk session, but prior to receipt by the entity of a session acceptance from the or each participant.”

If anything, Saidi discloses in paragraph [0031] and figure 4 that a caller device sends a request 402 to a server device for setting up a session. Paragraph [0033] discloses the server device accepts the request 402 and sends a response to the caller device, which sets up the session. From paragraphs [0033] and [0037], one can see that Saidi does not disclose removing an initial period of silence before receipt of session acceptance as recited in claim 1.

Similarly, paragraph [0011] of Harris describes that the participant at the receiving end (MS102) is ready to listen to the caller (MS101) before the caller starts to speak. This means that communication between the participants at both ends (MS101 and MS102) has been

established, i.e., the session is already accepted, before the silent period is identified and suppressed.

Accordingly, there is no disclosure of suggestion in Saidi or Harris that the removal of the silent period takes place before receipt of a session acceptance from the or each participant at the receiving end, as recited by independent claims 17, 27, and 29. Thus, this rejection should be withdrawn.

Claim 31 stands rejected under 35 U.S.C. §103 for obviousness based on Saidi in view of Schroderus. Applicants believe this rejection is stated incorrectly. Claim 31 depends from claim 29, which is rejected above based on Saidi in view of Harris. The rejection of claim 31 thus needs to be based on Saidi in view of Harris and further in view of Schroderus, which currently it is not. Thus, this rejection is respectfully traversed.

Claims 19, 22-23, and 28 stand rejected under 35 U.S.C. §103 as allegedly being unpatentable based on Saidi in view of Harris and page 1, lines 10-32 of the instant application. This rejection is respectfully traversed.

Applicants have not and do not admit that page 1, lines 10-32 of the instant application is prior art. The Examiner failed to address this point raised in the previous response. The burden is on the Examiner to identify a prior art reference to show the features recited in these claims. Nor does this text, even if it were admitted to be prior art, teach the features missing from Saidi and Harris as explained above.

None of the applied references describe removing a silent period from the speech data before receipt of the session acceptance.

The application is in condition for allowance. An early notice to that effect is requested.

BÄCKSTRÖM ET AL.
Appl. No. 10/591,689
November 15, 2010

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


John R. Lastova
Reg. No. 33,149

JRL:maa
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100